

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
VHT TECHNOLOGIES, INC.)
) No. 14-0468
)
Application for Certificate to)
become a Telecommunications)
Carrier.)

Chicago, Illinois
August 20, 2014

Met pursuant to notice at 10:00 a.m.

BEFORE :

JOHN RILEY, Administrative Law Judge.

APPEARANCES :

MR. GARY L. SMITH
1204 South Fourth Street
Springfield, Illinois 62703
appeared for Applicant.

SULLIVAN REPORTING COMPANY, by
Teresann B. Giorgi, CSR
084-000977

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I N D E X

<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	<u>Re-</u> <u>dir.</u>	<u>Re-</u> <u>crx.</u>	<u>By</u> <u>Examiner</u>
Jay Barton	5				4 11

E X H I B I T S

<u>APPLICANT'S</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
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1 JUDGE RILEY: Pursuant to the direction of
2 the Illinois Commerce Commission, I call
3 Docket No 14-0468.

4 This is an application by VHT
5 Technologies, Inc., for a certificate to become a
6 telecommunications carrier.

7 And, Mr. Smith, would you enter an
8 appearance for the Applicant?

9 MR. SMITH: Good morning, Judge.

10 My name is Gary Smith. My business
11 address is 1204 South Fourth Street, Springfield,
12 Illinois. I'm an attorney licensed to practice in
13 Illinois. And I'm appearing on behalf of the
14 Applicant, VHT Technologies, Inc.

15 JUDGE RILEY: Thank you.

16 And at this time did you have a
17 witness that you wanted to call in support of the
18 application?

19 MR. SMITH: I have one witness. His name is
20 Mr. Jay Barton.

21 (Witness sworn.)

22 JUDGE RILEY: Mr. Smith, did you have anything

1 you wanted to lead off with?

2 MR. SMITH: I have no preliminary matters.

3 JUDGE RILEY: All right.

4 MR. SMITH: I can ask some questions of the
5 witness, if you'd like or you can start. Whichever
6 way you want to do it.

7 JUDGE RILEY: All right. Why don't I just get
8 some confirming information here.

9 MR. SMITH: Sure.

10 JAY BARTON,
11 called as a witness herein, and after having been
12 first duly sworn, was examined and testified as
13 follows:

14 EXAMINATION

15 BY

16 JUDGE RILEY:

17 Q Mr. Barton, as I understand it -- let me
18 begin with this.

19 What is your role with the company?

20 A I am interim manager of Viola Home
21 Telephone Company.

22 Q And the Viola Home Telephone Company, is

1 that subsidiary or a parent of the Applicant?

2 A It's a subsidiary -- or -- well --

3 MR. SMITH: Tell you what, Judge, why don't you
4 let me -- can I take a hand at this?

5 JUDGE RILEY: Sure.

6 MR. SMITH: Let me try to paint the picture here
7 just for a moment.

8 JUDGE RILEY: That's fine.

9 DIRECT EXAMINATION

10 BY

11 MR. SMITH:

12 Q You said your position is interim manager
13 of Viola Home Telephone Company.

14 A Yes.

15 Q And is Viola Home Telephone Company a
16 company licensed as a landline telephone company by
17 this Commission?

18 A Yes.

19 Q And where is it located?

20 A In Viola, Illinois.

21 Q And where is that at?

22 A It's just south of the Quad Cities.

1 Q Okay. How big is Viola?

2 A About 900 in the village itself.

3 Q So you work for the Viola Home Telephone
4 Company, is that correct?

5 A That's correct.

6 Q And are you authorized today to appear on
7 behalf of the Applicant, VHT Technologies?

8 A Yes.

9 Q Let me hand you what's been marked as
10 Applicant's Exhibit 1.

11 Is that a true and accurate copy of
12 the Articles of Incorporation of VHT Technologies?

13 A Yes.

14 Q And VHT Technologies was just incorporated
15 this past June, is that correct?

16 A Yes.

17 Q Okay. Let me hand you what's been marked
18 as Applicant's Exhibit 2.

19 Is that sort of an organizational
20 chart showing the relationship between Viola Home
21 Telephone Company and VHT Technologies?

22 A Yes.

1 Q Both of those companies are owned by
2 Viola Holding Company, is that correct?

3 A Yes.

4 Q Are the officers and directors of Viola
5 Home Telephone Company and Viola Holding Company and
6 VHT Technologies, Inc., the same people?

7 A Yes, they are.

8 Q Okay. And how long has Viola Home
9 Telephone Company been providing telephone service
10 to the public?

11 A The company and its predecessor companies
12 have been since the turn of the century.

13 Q Okay. It's a small company, is that
14 correct?

15 A Yes.

16 Q Does VHT Technologies, Inc., have any
17 employees of its own right now?

18 A No.

19 Q Will it lease the employees and obtain
20 services from the same personnel that run Viola Home
21 Telephone Company?

22 A Yes.

1 Q About how many employees does Viola Home
2 Telephone Company have?

3 A Five.

4 Q So it's a small company in a small
5 community but it's been providing service for --

6 A Over 100 years.

7 Q Okay. And how long have you been working
8 for the company?

9 A Just under a year and a half.

10 Q All right. Who's the general manager of
11 the phone company?

12 A Carol Peterson.

13 Q And is she set to retire at the end of the
14 year?

15 A Yes, she is.

16 Q And will you be her successor as the
17 general manager?

18 A Yes.

19 Q Were you previously a board member of the
20 board of directors of Viola Home Telephone Company?

21 A Yes, I was.

22 Q So you had experience in the

1 telecommunications industry for several years?

2 A I've been on the interconnect side for
3 over 35.

4 Q With respect to the officers of VHT
5 Technologies, who's the president?

6 A Bob Millikan.

7 Q And is Mr. -- can you spell Millikan?

8 A M-i-l-l-i-k-a-n.

9 Q And he's the president of Viola Home
10 Telephone Company, also, is that correct?

11 A Correct.

12 Q And who is the secretary of VHT?

13 A Jeff Crummy.

14 Q And he also the secretary of Viola Home
15 Telephone Company?

16 A Yes.

17 Q Both of those gentlemen, are they board
18 members of all the boards that we've talked about
19 and the companies we've talked about?

20 A Yes, they are.

21 Q And has the board of directors authorized
22 you to appear here today on behalf of VHT

1 Technologies, Inc.?

2 A Yes.

3 Q Will VHT Technologies, Inc., use facilities
4 and lease facilities to provide telecommunications
5 service to the public?

6 A Yes.

7 Q Will Applicant adhere to all federal and
8 state laws with regard to slamming and cramming?

9 A Yes.

10 Q And will you -- you seek the waivers that
11 are sought in the application itself?

12 A Yes.

13 Q Have you reviewed the application?

14 A Yes.

15 Q Was it prepared under your direction and
16 control for VHT Technologies?

17 A Yes.

18 Q You don't have any changes with respect to
19 the application itself.

20 A No.

21 Q Will the Applicant be able to obtain
22 financial resources from its holding company, if it

1 needs to?

2 A Yes.

3 MR. SMITH: I have no further questions, your
4 Honor.

5 Move for admission of Exhibits 1 and
6 2.

7 JUDGE RILEY: I'll take that under advisement.

8 FURTHER EXAMINATION

9 BY

10 JUDGE RILEY:

11 Q I just want to clarify a couple of things.

12 Are you actually employed by the
13 Applicant?

14 A No.

15 Q Viola Home Telephone Company?

16 A Viola Home Telephone Company, right.

17 Q And the individuals that you mentioned as
18 the president and the secretary, are they also the
19 president and secretary of the Applicant?

20 A Yes.

21 Q Does the Applicant have any employees
22 itself?

1 A No.

2 Q Does it intend to -- or plan to?

3 A Not at this time.

4 Q But will the employees of Viola Home

5 Telephone Company be conducting the business of the

6 Applicant?

7 A Yes.

8 Q And VHT Technologies, the Applicant in this

9 matter, is seeking a certificate -- I want to make

10 sure I have this right -- for facilities-based

11 non-prepaid interexchange; resold; non-prepaid local

12 and interexchange; and facilities-based non-prepaid

13 local exchange service, is that correct?

14 A That's correct.

15 Q And you said you have 35 years experience

16 in the --

17 A Communications.

18 Q -- communications?

19 A Yeah.

20 Q And could you just briefly describe some of

21 the capacities in which you've worked?

22 A I've been a technician for most of that

1 area. And then I was part owner in a company in
2 '95 to like 2004. I was involved in the day to day
3 operations of that, plus being a technician also.

4 Q Could you tell me the name of the --

5 A Commspec.

6 Q Comm- --

7 A Commspec, Incorporated.

8 Q C-o-m-s-p-e-c?

9 A Two ms. C-o-m-m-s-p-e-c.

10 Q And how long were you in that capacity?

11 A 9, 10 years, whenever we sold companies.

12 Q And VHT is an Illinois corporation, as I
13 understand.

14 A Right.

15 Q The company has filed a projected balance
16 sheet and income statement, is that right?

17 A Yes.

18 Q And they do not have as of yet any cash or
19 resources. But I did hear you say the financial
20 resources of the parent would be available to the
21 Applicant --

22 A Yes.

1 Q -- for their operations.

2 And technical support will be
3 available at all times for customers?

4 A Yes.

5 Q And the books and records of the company
6 will be located in Illinois, is that correct?

7 A Yes.

8 Q Is the name that appears on the
9 application, will that be the same name that is to
10 appear on the certificate?

11 A Yes.

12 JUDGE RILEY: I don't have anything further,
13 Mr. Smith.

14 What I want to do -- okay, you made a
15 motion to admit Applicant's Exhibits 1 and 2 into
16 evidence.

17 MR. SMITH: Correct.

18 JUDGE RILEY: I also want to admit or to mark
19 the projected balance sheet and income statement,
20 filed on our e-Docket system, we'll make that
21 Applicant's Exhibit 3.

22 MR. SMITH: That will be fine.

1 (Whereupon, Applicant's
2 Exhibit No. 3 was marked
3 for identification.)

4 JUDGE RILEY: And I take it you're moving for
5 the admission of all three of these exhibits into
6 evidence?

7 MR. SMITH: I am.

8 JUDGE RILEY: They are admitted.

9 (Whereupon, Applicant's
10 Exhibits 1, 2 and 3 were
11 admitted in evidence.)

12 JUDGE RILEY: And I also want to note for the
13 record that Staff has filed an answer to the
14 application which states in relevant part, and this
15 is filed on the e-Docket system, also. I don't know
16 if it's on there as of this moment, but it was --

17 MR. SMITH: I haven't received it, but go ahead.

18 JUDGE RILEY: It states -- this is from the
19 engineer analyst in the Telecom Engineering
20 Department, states, After reviewing the
21 petition/application and other related documents
22 filed by the entity in the above-mentioned docketed

1 proceeding, which is VHT Technologies, the
2 Telecommunications Engineering Department has no
3 objection to granting the certificate sought by the
4 company.

5 MR. SMITH: Good.

6 JUDGE RILEY: And anything --

7 MR. SMITH: Let's go off the record, just for a
8 second.

9 (Whereupon, a discussion
10 was had off the record.)

11 JUDGE RILEY: Back on the record.

12 If there's nothing further, then I
13 will direct the court reporter to mark this matter
14 heard and taken.

15 MR. SMITH: I have nothing further.

16 JUDGE RILEY: And I'll have an order prepared
17 for the Commission at the next available bench
18 session.

19 Gentlemen, thank you very much.

20 MR. SMITH: Very good. Thank you, Judge.

21 HEARD AND TAKEN

22